

Congress of the United States

Washington, DC 20515

May 9, 2002

Restore Balance Between Protecting The Environment And Military Readiness

Vote YES on H.R. 4546

Dear Colleague:

Today our men and women in uniform are facing extraordinary challenges in the War against Terrorism. As our service members defend our homeland, Congress has a responsibility to ensure that they are prepared for any challenge they may face by protecting their ability to train on land, sea, and in the air.

However, every year, our nation's military faces increasing limits on training areas, as more land is barred from use for ground maneuvers and more airspace is restricted from military aircraft training. In an effort to restore balance between protecting the environment and military readiness, this year's National Defense Authorization Act (H.R. 4546) contains two provisions to make targeted, bipartisan, common sense changes to existing environmental laws.

The first provision addresses the Migratory Bird Treaty Act (MBTA). Last month, a federal court ruled that the Navy violated the MBTA by accidentally killing non-endangered birds during training flights, and prohibited training at the Farallon de Medinilla (FDM) range near Guam – the Navy's closest range to Afghanistan. Current law makes it legal to hunt migratory birds (such as geese and ducks) and clear them from golf courses and airport runways, but the law makes it illegal to accidentally hit one during a military training flight. H.R. 4546 would correct this technicality, and allow our sailors to return to training for the War against Terrorism.

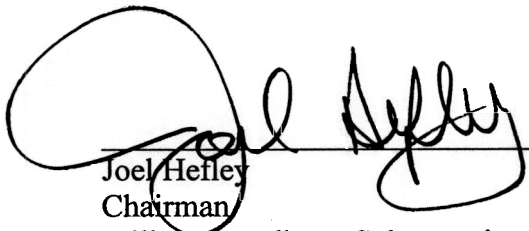
The second provision addresses the Endangered Species Act (ESA). Under current law, unlimited ESA restrictions often end all meaningful military training, effectively putting bases out of business. As shown on the attached map, the Marine Corps Base at Camp Pendleton is one of the most critical training facilities in the country, but civilian urban sprawl in southern California forced numerous endangered species onto the base, resulting in new restrictions that threaten to close the base. Other services have similar stories of significant loss of training space due to environmental regulations that threaten to close down training.

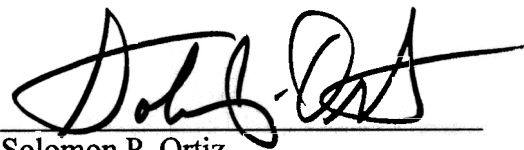
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H.R. 4546 would establish a responsible alternative approach to ESA land management on military installations. Under the bill, DOD and state and federal Fish and Wildlife Services would develop an environmental management plan for each military installation. The plan must be approved by all parties. This approach will protect the military's ability to train in areas where its conduct will not adversely impact endangered species, and ensure that land set aside for endangered or threatened species is considered within a comprehensive plan for managing the facility's spaces. It is worth noting that H.R. 4546 also **prohibits the Department of Defense from engaging in any activity that violates the Endangered Species Act, which bars actions leading to the extinction of an endangered species.**

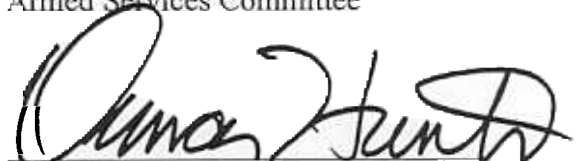
All of us treasure the environment, and all federal agencies, including the Department of Defense, should comply with environmental laws. H.R. 4546 will restore the balance between protecting the environment and military readiness – allowing us to ensure that America's service members receive the training they need, while continuing to preserve our environment here at home.


Sincerely,

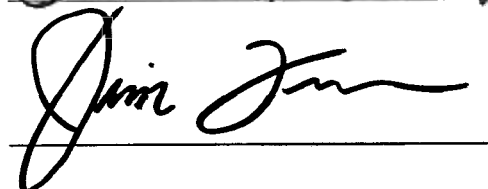

Joel Helley
Chairman
Military Readiness Subcommittee
Armed Services Committee


Solomon P. Ortiz
Ranking Democrat
Military Readiness Subcommittee
Armed Services Committee

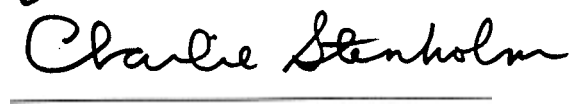

Walt Edwards

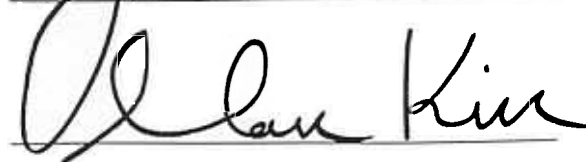

Lamar Hunt

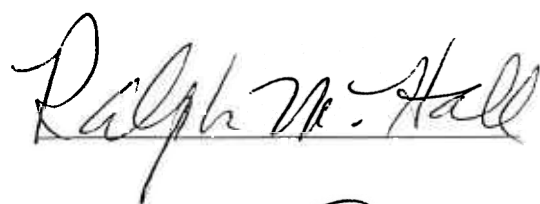

Walter B. Jones

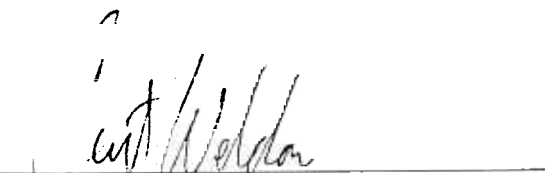

Jim Judd

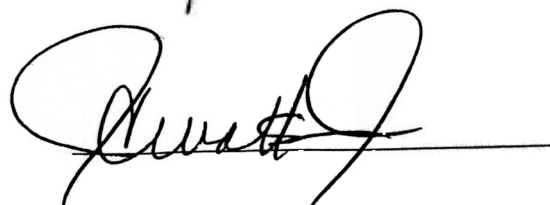

Jim Labors

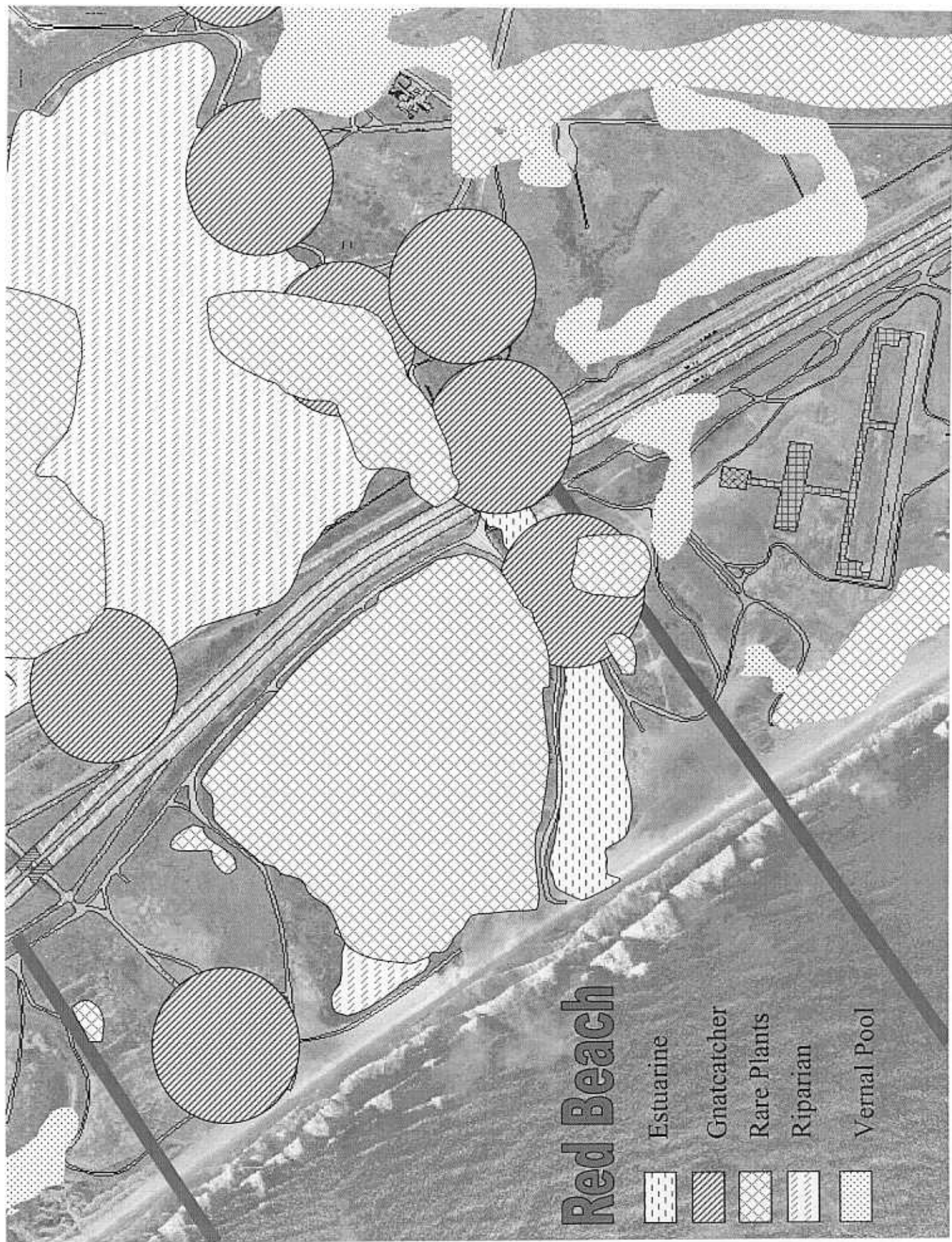

Charlie Stenholm


Alan Kirm


Ralph M. Hall


Art Wolden


Everett



Vernal Pools

